

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO  1437 Bannock Street Denver, CO 80202	
THE PEOPLE OF THE STATE OF COLORADO,  v.  JOHN REINHOLDT, II,  HEATHER CRATTY,  RAINA MARTIN,  MARY ANN HOCKER, and  JON MICHAEL  Defendants.	
JOHN W. SUTHERS, Attorney General ROBERT S. SHAPIRO, First Assistant Attorney General 1525 Sherman Street, 7 <sup>th</sup> Floor Denver, CO 80203 303-866-5450 Registration Number: 26869	<div style="text-align: center;">▲ COURT USE ONLY ▲</div> Case No.:  GJ Case No.: 09CR01  Ctrm: 6
<b>COLORADO STATE GRAND JURY INDICTMENT</b>	

Of the 2009-2010 term of the Denver District Court in the year 2010; the 2009-2010 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

**COUNT ONE**

37284 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT (PATTERN OF RACKETEERING - PARTICIPATION IN AN ENTERPRISE), C.R.S. § 18-17-104(3) (F2)

John Reinholdt, II, Raina Martin, Mary Ann Hocker, Jon Michael and Heather Cratty

**COUNT TWO**

37285 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT (CONSPIRACY/ENDEAVORING), C.R.S. § 18-17-104(4) (F2)

John Reinholdt, II, Raina Martin, Mary Ann Hocker, Jon Michael and Heather Cratty

**COUNT THREE**

0801V THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT FOUR**

1001C FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT FIVE**

0801V THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT SIX**

1001C FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT SEVEN**

0801V    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT EIGHT**

1001C    FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II and Mary Ann Hocker

**COUNT NINE**

0801V    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Raina Martin

**COUNT TEN**

1001C    FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Raina Martin

**COUNT ELEVEN**

0801V    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT TWELVE**

1001C    FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II and Mary Ann Hocker

**COUNT THIRTEEN**

0801V    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT FOURTEEN**

1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT FIFTEEN**

0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Jon Michael

**COUNT SIXTEEN**

1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Jon Michael

**COUNT SEVENTEEN**

0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty, Raina Martin and Jon Michael

**COUNT EIGHTEEN**

1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II, Heather Cratty, Mary Ann Hocker, Raina Martin and Jon Michael

**COUNT NINETEEN**

1102N     DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Raina Martin

**COUNT TWENTY**

0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-ONE**

1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-TWO**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-THREE**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-FOUR**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt II and Heather Cratty

**COUNT TWENTY-FIVE**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-SIX**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT TWENTY-SEVEN**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT TWENTY-EIGHT**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II, Mary Ann Hocker and Heather Cratty

**COUNT TWENTY-NINE**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT THIRTY**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT THIRTY-ONE**

1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II and Heather Cratty

**COUNT THIRTY-TWO**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT THIRTY-THREE**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II and Heather Cratty

**COUNT THIRTY-FOUR**

0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II

**COUNT THIRTY-FIVE**

1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

John Reinholdt, II

**COUNT THIRTY-SIX**

1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II

**COUNT THIRTY-SEVEN**

0801V      THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II

**COUNT THIRTY-EIGHT**

0801V      THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II

**COUNT THIRTY-NINE**

0801V      THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

John Reinholdt, II

**COUNT FORTY**

1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)

John Reinholdt, II

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO</p> <p>1437 Bannock Street Denver, CO 80202</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO,</p> <p>v.</p> <p>JOHN REINHOLDT, II,</p> <p>HEATHER CRATTY,</p> <p>RAINA MARTIN,</p> <p>MARY ANN HOCKER and</p> <p>JON MICHAEL</p> <p>Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>JOHN W. SUTHERS, Attorney General ROBERT S. SHAPIRO, First Assistant Attorney General 1525 Sherman Street, 7<sup>th</sup> Floor Denver, CO 80203 303-866-5450 Registration Number: 26869</p>	<p>Case No.:</p> <p>GJ Case No.: 09CR01</p> <p>Ctrm: 6</p>
<p style="text-align: center;"><b>COLORADO STATE GRAND JURY INDICTMENT</b></p>	

Of the 2009-2010 term of the Denver District Court in the year 2010; the 2009-2010 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:



### COUNT ONE

**37284 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT - PATTERN OF RACKETEERING - PARTICIPATION IN AN ENTERPRISE, C.R.S. §18-17-104(3) (F2)**

On or about January 1, 2006 through December 31, 2008, and initially discovered on or about August 1, 2008, triable in the City and County of Denver, State of Colorado, **John Reinholdt, II, Raina Martin, Mary Ann Hocker, Jon Michael and Heather Cratty** while employed by or associated with an enterprise, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity; in violation of section 18-17-104(3), C.R.S.

### COUNT TWO

**37285 VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT- CONSPIRACY/ENDEAVORING, C.R.S. §18-17-104(4) (F2)**

On or about January 1, 2006 through December 31, 2008, and initially discovered on or about August 1, 2008, triable in the City and County of Denver, State of Colorado, **John Reinholdt, II, Raina Martin, Mary Ann Hocker, Jon Michael and Heather Cratty** did unlawfully, knowingly, and feloniously conspire or endeavor to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity; in violation of sections 18-17-104(4) and 18-17-104(3), C.R.S.

The offenses alleged in Counts One and Two were committed in the following manner:

### **The Enterprise**

The enterprise alleged in Counts One and Two is primarily a group of individuals, associated in fact, although not a legal entity, as well as a group of affiliated legal entities. More specifically the enterprise included, but was not limited to, the following associated in fact individuals and/or legal entities:

**John Reinholdt, II,  
Heather Cratty,  
Raina Martin, formerly Raina Reinholdt  
Mary Ann Hocker,  
Jon Michael,  
John Reinholdt, Sr. (now deceased),  
Marilyn Reinholdt,  
Jaguar Group LLC,  
Jaguar LLC,  
Jaguar Associated Group LLC,  
Jaguar Enterprises LLC,  
Jaguar Funding LLC,  
Jaguar Investment Group LLC,  
Jaguar Mortgage Company LLC,  
Welend Associated Group, LLC,  
Dakota Lending LLC,  
Ocelot LLC,  
Windsor Investment Group LLC,  
Brooklyn Heights Homes LLC,  
EZ Loans LLC,  
Impresto LLC,  
Qwiklend LLC,  
Xact Funding LLC,  
Puma Corporation,  
Yukon Financial LLC,  
The Denver Lending Group**

and other persons or entities known or unknown to the Grand Jury.

The associated individuals and entities listed above, who comprise the Enterprise, initially had an objective and a common purpose of operating or participating in a business that funded, made and/or managed millions of dollars of sub-prime mortgage loans. These loans were made to borrowers who were purchasing residential properties that were located both within and outside the State of Colorado. To accomplish the initial business objective of being an apparent legitimate sub-prime mortgage lender, individual members of the Jaguar Associated Group LLC (“Jaguar”) and its various companion legal entities, namely John Reinholdt, Sr., John Reinholdt, II., Raina Martin and Mary Ann Hocker, obtained what are known as commercial “warehouse” lines of credit from various financial institutions, including FDIC insured financial institutions and others such as **Capital Source Finance LLC of Chevy Chase, Maryland.**

The FDIC insured financial institutions included, but were not limited to,

**Colorado State Bank and Trust-Denver, Colorado;  
Citywide Banks-Arvada and Denver, Colorado;  
FirstTier Bank-Broomfield, Colorado;  
Pueblo Bank and Trust-Denver, Colorado;  
Biltmore Bank of Arizona-Phoenix, Arizona;  
Bank of Choice-Denver, Colorado;  
Community Banks of Colorado-Greenwood Village, Colorado;  
Fort Collins Commerce Bank-Fort Collins, Colorado; and  
First Community Bank-Broomfield, Colorado**

These multi-million dollar lines of credit were generally made available to Jaguar and its companion legal entities at interest rates between 5% and 7%. The Jaguar legal entity would charge residential sub-prime mortgage borrowers annual interest rates of at least 11.50% or higher for these loans.

Once the funds from the lines of credit were made available to a Jaguar associated legal entity for its lending purposes, a residential real estate transaction would ensue between the Jaguar associated entity as the lender and an individual sub-prime borrower. The warehouse lenders, such as Colorado State Bank and Trust, Citywide Banks, FirstTier Bank, and Biltmore Banks of Arizona, were willing to work with Jaguar and its associated legal entities because they were supposed to have some amount of financial protection through the acquisition of a security interest in the residential real estate. This real estate, the associated promissory notes and the deeds of trusts then served as the collateral on a particular line of credit that had been made available by a financial institution.

For a period of time, up to approximately 2006, when revenues from mortgage payments and other payments appeared to have been consistently made to Jaguar’s separate legal entities, the operations of the Jaguar related businesses appeared to have been viable and legitimate. However, partially given the inherent high-risk

nature of the subprime lending industry along with an evolving series of negative economic factors, the income flow into Jaguar's legal entities became much less reliable in 2006 and into early 2007. As a result of this reality, the Jaguar legal entities incurred a growing list of debt obligations. For example Jaguar began to experience difficulty in making its payments that were consistently owed to its investors and warehouse lenders. Therefore, in response to these mounting issues, the entities and its structured leadership, most notably John Reinholdt, Sr., John Reinholdt, II, Raina Martin, Mary Ann Hocker and a self-titled Vice President named Heather Cratty, embarked on a purposeful scheme to financially defraud its warehouse lenders via at least three separate types of frauds, including, but not limited to, the following examples or the combination of the following examples:

1. The **use of straw buyers**, such as Jon Michael, to fraudulently apply for residential home loans that were orchestrated by members of the Enterprise. The Enterprise's purposeful use of fraudulent applications and the ensuing suspect real estate transactions were detrimentally relied upon by the warehouse lenders when members of the Enterprise would request that a large amount of funds (which was always in excess of \$20,000.00) would be wired to a bank account controlled by the Enterprise;

2. The **diversion of funds** (for the purposes of this Indictment was always in excess of \$20,000.00) in the form of payoff checks or wires that were routed to the Enterprise from other reputable lenders or title companies when a property that was initially funded by the Enterprise was later sold or refinanced. However, instead of the members of Enterprise sending these funds back to the financial institution who had released the money, these payoffs were often deceptively used by members of the Enterprise for purposes other than for which they were intended. The issue was that the money from a specific payoff was often mandated by contract to be sent back to the specific warehouse lender who had specifically advanced funds for a specific property following a Jaguar legal entity funding a loan to an individual subprime borrower; and/or

3. The fraudulent **resurrection** of an old property that the Enterprise had no legal interest in at the time of the fraud. The basic scheme included members of the Enterprise creating and using forged documents that were then detrimentally relied upon by the warehouse lenders, which in turn released tens, if not hundreds of thousands of dollars to the Enterprise for each resurrected property.

An examination of the flow of money that was fraudulently obtained by the Enterprise, showed that the bulk of these funds were used to payoff other debt obligations that had been incurred earlier in time. A close analysis of the Enterprise's illicit operations is consistent with what is commonly observed in "Ponzi" investment schemes. Specifically, these types of schemes involve money from newer investors being fraudulently obtained to simply payoff the ever growing line of earlier

investors, many of whom were defrauded of their money by the target(s) in the first place for the purpose of paying off debts that were incurred even earlier in time.

The Enterprise's operations were centered at Jaguar's physical place of business, 10855 Empire Road, Lafayette, Boulder County, Colorado and through various mailing addresses, including but not limited to P.O. Box 877 and P.O. Box 1313, Broomfield, Colorado, 80038.

The ongoing structure of this group of associated in fact individuals and legal entities was defined with John Reinholdt, Sr. being the day to day manager and leader of the various business entities up to and until his illness and eventual death in mid 2008. The next individual who possessed a key leadership role in the Enterprise was John Reinholdt, II, the son of John Reinholdt, Sr.. Reinholdt, II was a guarantor on all of the warehouse lines of credit and a manager for the relevant legal entities involved in the alleged fraud. Reinholdt, II also assumed the day to day leadership role upon his father's illness and death. Another guarantor on the relevant lines of credit was Raina Martin, the daughter of John Reinholdt, Sr. and the sister of John Reinholdt, II. Ms. Martin also served as a manager for the relevant legal entities. Mary Ann Hocker was the sister of John Reinholdt, Sr. and the aunt to John Reinholdt, II and Raina Martin. Ms. Hocker was also a guarantor on the lines of credit, as well as being a bookkeeper for and a manager of the relevant legal entities. The last key leader of the Enterprise was Heather Cratty. Eventhough Ms. Cratty was not a guarantor on the lines of credit, she nonetheless worked closely with John Reinholdt, II to acquire, possess and ultimately exert a strong amount of influence over the enterprise's fraudulent acts that proved detrimental to the warehouse lending institutions.

### **Pattern of Racketeering Activity**

**John Reinholdt, II, Raina Martin, Heather Cratty, Jon Michael, Mary Ann Hocker** and others known and unknown to the Grand Jury directly and in concert, engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses, related to the conduct of the enterprise, with at least one of which took place in the State of Colorado after July 1, 1981 and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity and include:

Theft, C.R.S. §18-4-401

Forgery, C.R.S. §18-5-102

Defrauding a Secured Creditor, C.R.S. §18-5-206

Bank Fraud, 18 U.S.C. §1344

### **Racketeering Activity**

The acts of racketeering activity that the above named persons committed, attempted to commit, conspired to commit, or solicited, coerced, or intimidated another person to commit, consist of the following predicate acts, including any lesser included offenses:

#### **PREDICATE ACT ONE** **(419 Casa del Norte, North Las Vegas, NV)**

##### **0801V     THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 5-12, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 419 Casa del Norte, North Las Vegas, NV, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

#### **PREDICATE ACT TWO** **(419 Casa del Norte, North Las Vegas, NV)**

##### **1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 5-12, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud FirstTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments and/or deeds of trusts; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT THREE**  
**(419 Casa del Norte, North Las Vegas, NV)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 5, 2007 to September 20, 2007, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker, and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud FirsTier Bank, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from FirsTier Bank, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT FOUR**  
**(419 Casa del Norte, North Las Vegas, NV)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about August 30, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FIVE**  
**(419 Casa del Norte, North Las Vegas, NV)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 30, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, collateral summaries and/or borrowing base reports; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT SIX**  
**(419 Casa del Norte, North Las Vegas, NV)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about August 30, 2007 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker, and Heather Cratty** unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Colorado State Bank and Trust, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Colorado State Bank and Trust, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344

The offenses alleged in Predicate Acts One through Six were committed in the following manner:

This **resurrection** scheme began in June 2005 with innocent sub-prime mortgage borrowers named John Pinkney and Linda Pinkney who bought a piece of property located at 419 Casa del Norte, North Las Vegas, Nevada. The Pinkneys bought this property by signing a note for a \$178,500.00 loan that had been made by MiStar Financial, a broker that originated a loan that was actually funded by an entity affiliated with the Jaguar Group LLC. For the next year the note and deeds of trust for this property were re-assigned amongst various entities controlled by members of the Enterprise. These entities included Impresto, LLC and Xact Funding, LLC.

On or about August 4, 2006, the Pinkneys apparently acquired new financing from Countrywide. This refinancing caused Xact Funding LLC, a Jaguar related entity, to receive a payoff check in the amount of \$191,167.23 that was specifically for the 419 Casa del Norte property. On or about August 16, 2006, Xact Funding LLC signed the above referenced payoff check over to Weland Associated Group LLC. This check was then deposited into Welend's Colorado State Bank and Trust (CSB&T) account.

Based on the refinancing that paid-off the Pinkneys' old loan, John Reinholdt, II executed and recorded a Release of Deed of Trust that occurred on or about September 25, 2006 that was applicable to the Pinkneys and the 419 Casa del Norte property. This specific release of the deed of trust by John Reinholdt, II concluded any legal right that the Enterprise (Xact Funding LLC) had with the particular piece of property from that time period on.

However, on or about April 5, 2007 through August 30, 2007, Mary Ann Hocker in concert with John Reinholdt, II and Heather Cratty resurrected the previously released 419 Casa del Norte, North Las Vegas, NV property by creating a series of fraudulent documents such as various Assignment of Note and Deed of Trust instruments, as



well as related Allonges. These documents were first detrimentally relied upon by FirstTier Bank when it advanced \$169,575.00 on April 12, 2007 and later by Colorado State Bank and Trust when it advanced \$178,500.00 on or about September 20, 2007.

In the months following Colorado State Bank and Trust advancing \$178,500.00 to Jaguar's Welend LLC entity on the mistaken belief that Welend was funding a loan for the Pinkneys to buy 419 Casa del Norte, Heather Cratty routinely created and submitted a fraudulent document known as a Borrowing Base Report (BBR) to Colorado State Bank and Trust. The BBR was Welend Associated Group LLC's key monthly status report that was prepared for the bank. The BBR was supposed to be a true and accurate snapshot for the bank so that it would have an understanding as to which funded properties were active and which of those were performing or not performing. Heather Cratty's monthly BBR's, as represented by the July 9, 2008 BBR, were replete with fraudulent and/or fictitious information that pertained to dozens of properties, including 419 Casa del Norte in North Las Vegas, NV. As a result, the Cratty created BBRs deceived Colorado State Bank and Trust because the false information misled the bank into believing that this property and others were legitimate, active and performing. Therefore, the fraudulent BBR's were detrimentally relied upon by the bank.

**PREDICATE ACT SEVEN**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**0801V**     **THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 4, 2007 in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Biltmore Bank of Arizona related to 5410 Jasmine Way, Tucson, AZ, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Biltmore Bank of Arizona of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT EIGHT**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 16, 2007 to May 4, 2007, in the State of Colorado, **John Reinholdt, II and Mary Ann Hocker** with the intent to defraud Biltmore Bank of Arizona, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, and/or loan funding sheets; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT NINE**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 16, 2007 to October 19, 2007, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Mary Ann Hocker**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Biltmore Bank of Arizona, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Biltmore Bank of Arizona, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT TEN**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**0801V      THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about October 19, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty, and Raina Martin** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(b),(2)(d), C.R.S.

**PREDICATE ACT ELEVEN**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about October 19, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Raina Martin and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, borrowing base reports and loan funding sheets; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT TWELVE**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about October 19, 2007 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker, Raina Martin and Heather Cratty** unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Colorado State Bank and Trust, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Colorado State Bank and Trust, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Seven through Twelve were committed in the following manner:

This **resurrection** scheme began in July 2006 with an innocent sub-prime mortgage borrower named Francisca Buelna buying a piece of property located at 5410 S. Jasmine Way, Tucson, Arizona. Ms. Buelna bought this property by signing a note for a \$121,000 loan that had been made by Network Funding, a broker that originated the loan that was actually funded by the Jaguar Group LLC and its entities EZ Loans LLC and Xact Funding LLC by using funds that were advanced from FirstTier Bank.

On or about February 13, 2007, Ms. Buelna sold the above referenced property to Jaime Hernandez with JP Morgan Chase Bank acting as his legitimate lender. On or about February 15, 2007, a payoff check in the amount of \$140,382.55 was received by the Enterprise with the funds deposited into a Welend Associated Group LLC

account at Colorado State Bank and Trust. Then on or about February 17-19, 2007, John Reinholdt, II signed, executed and recorded a Deed of Release and Full Reconveyance, stating that his business no longer had a legal interest in the 5410 S. Jasmine Way property.

However, beginning on or about April 16, 2007, Mary Ann Hocker, in concert with John Reinholdt, II, Heather Cratty and various Jaguar related entities, resurrected the recently released 5410 S. Jasmine Way property. Specifically the members listed above created a series of fraudulent documents such as various Assignments of Note and Deeds of Trusts, Allonges and other material documents that were designed to create a fictitious paper trail that was then detrimentally relied upon by Biltmore Bank of Arizona. Specifically, on or about May 4, 2007, Biltmore Bank of Arizona was deceived into advancing \$96,800.00 to Jaguar and its associated entities, including the Windsor Investment Group LLC.

Then, beginning on or about October 19, 2007, members of the Enterprise, most notably Raina Martin, created a series of additional fraudulent Assignments of Note and Deed of Trust documents along with related Allonges and a Loan Funding Sheet for the above referenced property. These documents were fabricated to deceive Colorado State Bank and Trust into believing that this was a legitimate loan. As a result of the repeated acts of deception by members of the Enterprise, Colorado State Bank and Trust relied on the fraudulent documents and information to ultimately fund the loan for \$121,000.00 on the Welend Associated Group, LLC line of credit. In the following months, and well into 2008, Heather Cratty continued deceiving Colorado State Bank and Trust by creating the monthly BBRs that fraudulently stated that 5410 S. Jasmine Way was an active and performing loan. The fraudulent BBRs were in addition to Mr. Reinholdt, II and Ms. Cratty having regular communications with Colorado State Bank and Trust executives and staffers in which they provided inaccurate information about the Welend Associated Group LLC loan(s) in question.

**PREDICATE ACT THIRTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**0801V    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 2, 2007, in the State of Colorado, **John Reinholdt II, Mary Ann Hocker and Heather Cratty**, unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 3933 Manheim Rd., Kansas City, MO, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FOURTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**1001C**      **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 2, 2007, in the State of Colorado, **John Reinholdt, II and Mary Ann Hocker** with the intent to defraud FirstTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts and allonges; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT FIFTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 2, 2007 to September 20, 2007, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Mary Ann Hocker**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud FirstTier Bank, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from First Tier Bank, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT SIXTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**0801V**      **THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d). (F3)**

On or about September 20, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(b),(2)(d), C.R.S.

**PREDICATE ACT SEVENTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 30, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, and/or borrowing base reports; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT EIGHTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about August 30, 2007 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Colorado State Bank and Trust, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Colorado State Bank and Trust, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Thirteen through Eighteen were committed in the following manner:

This **resurrection and diversion of funds** scheme began in 2006 with an innocent subprime mortgage borrower buying a property located at 3933 Manheim Rd., Kansas City, Missouri. The buyer received a \$61,000.00 loan from a third party lender who then sold the loan to Jaguar Group LLC, who in turn assigned it to Qwicklend, LLC, a Jaguar affiliated entity. Qwicklend, LLC, with John Reinholdt, II and Heather Cratty taking the lead, then assigned the deed of trust to Fort Collins Commerce Bank, who in turn provided more funding for this loan.

On or about January 16, 2007, the initial buyer was able to pay off its loan via a payoff check from Platinum Title LLC in the amount of \$62,427.74 that was payable to the Denver Lending Group. This same check was then endorsed over to Welend

Associated Group and deposited into Welend's account at Colorado State Bank and Trust (CSB&T). This transaction of having the payoff check for 3933 Manheim Rd. deposited into Welend's account at CSB&T proved to be unusual because with Fort Collins Commerce Bank funding the loan the payoff check should have been routed to that bank in a timely manner. Nonetheless, based on the legitimate payoff by Platinum Title, Blue Moon Capital, LLC and its individual borrower, Roland Ojeda, the Reinholdt affiliated entity of Qwiklend, LLC no longer possessed an assignable interest in the 3933 Manheim Rd. property.

Then on or about April 2, 2007, Mary Ann Hocker, acting at the behest of and thus in concert with John Reinholdt, II and Heather Cratty, resurrected the 3933 Manheim Rd. property by creating a series of fictitious Assignments and Deeds of Trust in favor of another Jaguar entity, EZ Loans LLC and then in favor of FirsTier Bank. As a result of these fraudulent documents that were detrimentally relied upon by FirsTier Bank, this bank was deceived into releasing \$57,950.00 to EZ Loans, LLC. Evidence shows that these funds were then diverted by the Enterprise and used to help pay off Fort Collins Commerce Bank for its earlier loan for the Enterprise.

Later on or about August 30, 2007, Mary Ann Hocker, again acting at the behest of and thus in concert with John Reinholdt, II and Heather Cratty, fraudulently resurrected the 3933 Manheim Rd. property another time by creating a new series of fictitious Assignments and Deeds of Trust in favor of another Jaguar entity, Welend Associated Group LLC and then CSB&T. These documents, combined with a fictitious loan funding sheet, were then provided to CSB&T for their detrimental reliance that resulted in CSB&T releasing another \$61,000.00 to Welend Associated Group LLC on September 20, 2007.

Evidence was presented showing that the money that was fraudulently obtained from CSB&T for 3933 Manheim Rd. was later misused by the above listed members of the Enterprise to payoff the money that had been fraudulently obtained earlier from FirsTier Bank by the listed members of the Enterprise who had resurrected the same property.

**PREDICATE ACT NINETEEN**  
**(140 Brooklyn Circle, Leadville, CO)**

**0801V**     **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about July 1, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Jon Michael** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(b),(2)(d), C.R.S.

**PREDICATE ACT TWENTY**  
**(140 Brooklyn Circle, Leadville, CO)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about June 25, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Heather Cratty, Mary Ann Hocker and Jon Michael** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: a Uniform Residential Loan Application, a HUD-1 Settlement Statement, Assignment of Note and Deed of Trust instruments, Adjustable Rate Note, Default Rider to Adjustable Rate Note, Family Rider, Adjustable Rate Rider, Deed of Trust, Loan Funding Sheet, Borrowing Base Reports and/or Allonges; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT TWENTY-ONE**  
**(140 Brooklyn Circle, Leadville, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about June 25, 2007 to December 31, 2008 in the District of Colorado, State of Colorado, the defendants, **John Reinholdt II, Mary Ann Hocker, Heather Cratty and Jon Michael**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Colorado State Bank and Trust, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Colorado State Bank and Trust, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.



**PREDICATE ACT TWENTY-TWO**  
**(166 Brooklyn Circle, Leadville, CO)**

**0801V**     **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about July 1, 2007 to December 31, 2008, in the State of Colorado,  
**John Reinholdt II, Mary Ann Hocker, Heather Cratty, Raina Martin and Jon Michael** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(B),(2)(d), C.R.S.

**PREDICATE ACT TWENTY-THREE**  
**(166 Brooklyn Circle, Leadville, CO)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about June 25, 2007 to July 9, 2008, in the State of Colorado,  
**John Reinholdt, II, Heather Cratty, Mary Ann Hocker, Raina Martin and Jon Michael** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: a Uniform Residential Loan Application, a HUD-1 Settlement Statement, Assignment of Note and Deed of Trust instruments, Adjustable Rate Note, Default Rider to Adjustable Rate Note, Family Rider, Adjustable Rate Rider, Deed of Trust, Loan Funding Sheet, Borrowing Base Reports and/or Allonges; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT TWENTY-FOUR**  
**(166 Brooklyn Circle, Leadville, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about June 25, 2007 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty, Raina Martin and Jon Michael**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Colorado State Bank and Trust, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Colorado State Bank and Trust, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT TWENTY-FIVE**  
**(140 and 166 Brooklyn Circle, Leadville, CO)**

**1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about July 1, 2007 through December 23, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Raina Martin** with intent to defraud The Pueblo Bank and Trust Company, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: Notes and Deeds of Trust related to 140 and/or 166 Brooklyn Circle, Leadville, CO aka Vacant Lots Brooklyn Heights Subdivision, Leadville, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Predicate Acts Nineteen through Twenty-Five were committed in the following manner:

These two **straw buyer** schemes primarily involved John Reinholdt Sr., John Reinholdt, II, Raina Martin and Heather Cratty using Jon Michael to act as a home buyer so that the Enterprise could defraud CSB&T. Specifically, the scheme was designed so that the bank would unwittingly release hundreds of thousands of dollars to Welend Associated Group. A motive for this scheme was explained by Mary Ann Hocker who stated in an interview with Grand Jury investigators on July 6, 2009 that the use of straw buyers, such as Jon Michael, was done to make it look as if new viable loans were in need of funding, but that in reality the money was needed to cover up other problematic loans that the Enterprise had incurred.

The first property at issue was 140 Brooklyn Circle, Leadville, CO. The second property at issue was 166 Brooklyn Circle, Leadville, CO. These properties were in actuality simply vacant lots with no improvements built on them.

The scheme began on approximately April 17, 2006 when John Reinholdt II, Raina Martin and/or Mary Ann Hocker, individually and doing business as Brooklyn Heights Homes LLC, entered into an arrangement with The Pueblo Bank and Trust Company (PB&T) in which PB&T provided \$1,600,000.00 in funds to them in exchange for a Note and a Deed of Trust that provided PB&T a security interest in the Leadville properties.

On June 25, 2007, Jon Michael, acting as a straw agent of Brooklyn Heights Homes, LLC and signing documents at the direction of John Reinholdt II and Heather Cratty, executed two Deeds of Trust that were done in a manner that detrimentally impaired PB&T's security interests in 140 and 166 Brooklyn Circle, Leadville, CO. In the following months members of the Enterprise fraudulently created and executed additional Assignments of Notes and Deeds of Trust that were done to make it appear that Jaguar Group LLC and Welend Associated Group LLC were lawfully involved with two new loans (140 and 166 Brooklyn Circle). In reality, these loans were illegitimately being applied for by Jon Michael to benefit the other named defendants.

On or about July 3, 2007, Jon Michael also signed and executed two Uniform Residential Loan Applications (Fannie Mae 1003) that were fraudulent based on a variety of fictitious statements contained in the document and/or omissions from the documents. These documents were prepared at the direction of John Reinholdt II and Heather Cratty.

Beginning on or about June 25, 2007 up to approximately August 23, 2007, Jon Michael signed a Settlement Statement (HUD-1) for 166 Brooklyn Circle, Leadville, CO and again, on or about September 18, 2007, he signed another HUD-1 for 140 Brooklyn Circle, Leadville, CO. In both of these documents Mr. Michael made and uttered false statements, including but not limited to, the amount of cash that he supposedly brought to the closing for each of these fraudulent loans. Mr. Michael stated to the Grand Jury Investigators that he was asked by the Reinholdts and other members of the Enterprise to sign various documents, including loan related instruments, for properties that he never intended to live in, nor for which did he intend to make loan payments on these properties. Mr. Michael stated that he did these various acts at the specific requests of John Reinholdt, Sr., John Reinholdt, II and/or Heather Cratty. Mary Ann Hocker corroborated this information as well.

Ultimately, because of the scheme that was summarized above, CSB&T funded the two fraudulent loans for 140 and 166 Brooklyn Circle at \$269,500.00 and \$315,000.00 respectively. The Welend borrowing base reports that were prepared by Heather Cratty consistently and fraudulently informed CSB&T that Jon Michael's

loans for 140 and 166 Brooklyn Circle in Leadville, Co were performing when in fact they were not.

**PREDICATE ACT TWENTY-SIX**  
**(4179 W. Walsh Pl., Denver, CO)**

**0801V**     **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about March 31, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT TWENTY-SEVEN**  
**(4179 W. Walsh Pl., Denver, CO)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 1, 2007 to July 30, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with the intent to defraud Citywide Banks, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

**PREDICATE ACT TWENTY-EIGHT**  
**(4179 W. Walsh Pl., Denver, CO)**

**1102N      DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. §18-5-206(1)(d) (F3)**

On or about April 1, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, Deed of Trust and funds related to 4179 West Walsh Place, Denver, CO aka 4179 West Walsh Place, Broomfield, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**PREDICATE ACT TWENTY-NINE**  
**(4179 W. Walsh Pl., Denver, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about March 31, 2008 to December 31, 2008 in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Twenty-Six through Twenty-Nine were committed in the following manner:

This **diversion of funds** scheme occurred as follows. In late 2006 Jaguar Group LLC supposedly agreed to fund a residential home loan for a Jon and Jan Bowman in the amount of \$97,500.00 for 4179 W. Walsh Place in Denver, CO. It should be noted that this address was often incorrectly listed in obtained documents as being in Broomfield, CO. Jaguar ultimately assigned the Note and the Deed of Trust to an associated entity known as Ocelot, LLC which in turn assigned its Note and its Deed of Trust to Citywide Banks as a secured interest. On or about October 11, 2006, Citywide Banks then advanced \$83,400.00 to Ocelot, LLC for this particular piece of property.

On or about March 31, 2008, it appears that the Bowmans refinanced this loan with First National Bank which was followed by First American Heritage Title sending a payoff check payable to Ocelot, LLC in the amount of \$98,408.24. This check was not deposited into Ocelot's bank account, but rather it was endorsed over to another Reinholdt family controlled entity, Welend Associated Group LLC, and deposited into its account at CSB&T. Then, on or about April 24, 2008, a new Deed of Trust regarding this property was filed showing that First National Bank had made a new loan to the Bowmans. In the end, Citywide Banks never received the \$83,400.00 that it had advanced to Ocelot, LLC and its security interest in the property was detrimentally impaired and affected by the named defendants' actions.

In the following months, Ocelot, LLC continued preparing a fraudulent Borrowing Base Summary that was sent to Citywide Banks. This fraudulent summary continued to reflect that 4179 Walsh Place was an active and performing loan when this was not the case.

A former Jaguar/Ocelot employee named Karen Kinstler who possessed knowledge about this type of transaction was interviewed by a Grand Jury Investigator in December 2009. During this interview Ms. Kinstler made a series of statements about the actions of John Reinholdt, II and Heather Cratty that were corroborated by Mary Ann Hocker and other witnesses. Ms. Kinstler said that payoff checks for properties were often made to Ocelot LLC or to other Reinholdt controlled entities, but were not properly deposited into the correct banks accounts. Ms. Kinstler further stated that John Reinholdt II worked with Heather Cratty to manipulate the incoming and outgoing flow of money. In fact, Ms. Kinstler said that while Reinholdt II was in charge of the operation, Ms. Cratty's role was to obtain money from the banks. The above referenced statement was supported by Ms. Hocker stating that Ms. Cratty's job was to "squeeze" money out of the banks. In fact, Ms. Hocker stated that Ms. Cratty was the individual who figured out how to use the money from the paid-off loans for other purposes and yet still have the original loan appear to the lending bank as if it was still active and performing.

Ms. Hocker also stated that she deposited payoff checks into certain bank accounts at the direction of John Reinholdt II because he stated to her that he needed the money to: (1) Make other payments; (2) Fund other loans; and/or (3) Cover other expenses for the business or themselves.

Finally, Ms. Kinstler stated that the Ocelot LLC and Dakota Lending LLC created Borrowing Base Summaries (BBS) that were relied upon by Citywide Banks were not accurate when it came to reflecting that some of the loans were being classified as active and performing when in fact they had already been paid off. Ms. Kinstler attributed the fraudulent information contained in the BBSs to have originated with John Reinholdt II and Heather Cratty. This factual summary incorporates the other factual summaries in support of this Indictment that address other allegations that the

Ocelot, LLC Borrowing Base Summaries listed additional properties that were in fact no longer active on the line of credit.

**PREDICATE ACT THIRTY**  
**(1121 Nucla St, Aurora, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 30, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT THIRTY-ONE**  
**(1121 Nucla St, Aurora, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE, C.R.S. § 18-5-206(1)(d) (F3)**

On or about May 30, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1121 Nucla St., Aurora, CO which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**PREDICATE ACT THIRTY-TWO**  
**(1121 Nucla St, Aurora, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about May 30, 2008 to December 31, 2008 in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Thirty through Thirty-Two were committed in the following manner:

This **diversion of funds** scheme began, on or about May 30, 2008, with Ocelot LLC receiving a payoff check in an amount of \$128,911.33 for this property. Instead of Ocelot LLC repaying Citywide Banks, this money was deposited into Welend's account at CS&B and apparently used by the above named defendants to pay down other debts owed by the Enterprise. The initial funding occurred on or about July 24, 2007 when Citywide Banks advanced Ocelot LLC \$126,000.00 to fund a loan for Notar Investments LLC. As a result of this funding, Citywide Banks received a security interest in this property. After Notar sold the property to a new buyer, the pay off check referenced above was routed to Ocelot and then misused. While this misuse was occurring Citywide Banks was left believing that this property was still active and performing through the use of forged Borrowing Base Summaries.

**PREDICATE ACT THIRTY-THREE**

**(1115 E. 10<sup>th</sup> Ave., Broomfield, CO and 7810 W. 87<sup>th</sup> Dr., #0 , Westminster, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 4, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT THIRTY-FOUR**

**(1115 E. 10<sup>th</sup> Ave., Broomfield, CO and 7810 W. 87<sup>th</sup> Dr., #0 , Westminster, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE, C.R.S. § 18-5-206(1)(d) (F3)**

On or about April 4, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1115 E. 10<sup>th</sup> Ave., Broomfield, CO and/or a Note, a Deed of Trust and funds related to 7810 W. 87<sup>th</sup> Dr. #0, Westminster, CO, which were subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.



**PREDICATE ACT THIRTY-FIVE**

**(1115 E. 10<sup>th</sup> Ave., Broomfield, CO and 7810 W. 87<sup>th</sup> Dr., #0 , Westminster, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 4, 2008 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Thirty-Three through Thirty-Five were committed in the following manner:

This **diversion of funds** scheme by the named defendants began on or about April 4, 2008 when a payoff check in the amount of \$120,437.00 was written by Austin Escrow & Title LLC and made payable to Ocelot, LLC regarding a property that is located at 1115 E. 10<sup>th</sup> Ave., Broomfield, CO. Another payoff check in the amount of \$83,078.45 was written by Austin Escrow & Title LLC and made payable to Ocelot LLC regarding a property located at 7810 W. 87<sup>th</sup> Dr. #0 Westminster, CO. On or about April 9, 2008, these two separate checks were endorsed and deposited into Welend Associated Group LLC's account at CSB&T and not into Ocelot's account at Citywide Bank. Citywide Banks had advanced the funds to Ocelot LLC for the two properties cited above. A review of the Welend account also showed a series of contemporaneous wire withdrawals occurring on April 9, 2008 that were apparently used to payoff other Welend debts.

For the ensuing months after this diversion of funds by the Enterprise, Citywide Banks was led to believe that the 1115 E. 10<sup>th</sup> Ave. Broomfield , CO loan was still active and performing through the fraudulent use of Borrowing Base Summaries (BBS). Citywide Banks was also led to believe that the loan for 7810 W. 87<sup>th</sup> Dr. #0 Westminster, CO was still active for at least one month beyond its true payoff date.

The brief background of the Broomfield transaction began in September 2007 when Greg C. Frankel had purchased the property via a loan that had been funded by Jaguar Group LLC and Ocelot LLC. Citywide Banks was the warehouse lender who actually advanced \$119,000.00 to Ocelot LLC for Frankel's transaction. As a result of this transaction, which included the Note and the Deed of Trust being assigned to Citywide Banks, this lender received a security interest in 1115 E. 10<sup>th</sup> Ave. in Broomfield. In regards to the Westminster transaction, Mr. Frankel contracted with Jaguar Mortgage Company, LLC and Ocelot LLC as lenders for him to purchase 7810

West 87<sup>th</sup> Dr. #0 in Westminster. Citywide Banks was also the warehouse lender for this property and in fact advanced \$80,500.00 to Ocelot for this transaction. A Note and a Deed of Trust were assigned to Citywide Banks, thus giving the bank a security interest in the property.

Then in March and April 2008, Mr. Frankel refinanced these properties through American Mortgage Network, Inc. with new Deeds of Trust being executed between Frankel and American Mortgage Network on the same day the payoff checks were issued to Ocelot. Since Ocelot and the named defendants did not forward these specifically designated funds to Citywide Banks the bank's security interests in 1115 E. 10<sup>th</sup> Ave. in Broomfield and in 7810 W. 87<sup>th</sup> Dr. #0 in Westminster were impaired and/or defeated when the new Deeds of Trust were executed.

**PREDICATE ACT THIRTY-SIX**  
**(14315 Kalamath, Westminster, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d). (F3)**

On or about January 25, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT THIRTY-SEVEN**  
**(14315 Kalamath, Westminster, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about January 25, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 14315 Kalamath Street, Westminster, CO which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**PREDICATE ACT THIRTY-EIGHT**  
**(14315 Kalamath, Westminster, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about January 25, 2008 to December 31, 2008 in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Thirty-Six through Thirty-Eight were committed in the following manner:

This **diversion of funds** scheme began on or about January 25, 2008 when 14315 Kalamath Street in Westminster, CO was refinanced. The original borrowers, Tommy Sarantinos and Michael Spahn, had taken out a loan with the Jaguar Mortgage Company LLC on or about December 24-26, 2007 in an amount of \$864,000.00. Jaguar Mortgage Company LLC ultimately assigned this Note and Deed of Trust to Ocelot LLC who in turn assigned the Note and Deed of Trust over to Citywide Banks after it had advanced the funds to Ocelot LLC for this loan. As a result, Citywide Banks then retained a security interest in this property.

On or about January 25, 2008, a Quit Claim Deed was executed by Tommy Sarantinos to benefit his wife Tiffany and himself. On that same date, a new Deed of Trust was executed between the Sarantinos' and Countrywide Bank who had refinanced the loan. Then on or about January 31, 2008, Great West Title & Escrow, LLC issued a check out of its account at Vectra Bank that was payable to Jaguar Mortgage Company, LLC in the amount of \$865,575.52 for the above referenced refinancing. This money was deposited into Jaguar Mortgage's Citywide Banks account instead of in Ocelot, LLC's account. From this point in time, Citywide Banks security interest in the Kalamath property was impaired as a result of the refinancing and the execution of the new Deed of Trust.

Investigators found that, on or about February 4, 2008, \$830,000.00 of the funds related to the 14315 Kalamath sale/refinancing were then diverted by Mary Ann Hocker from Jaguar Mortgage's Citywide account to the Reinholdt controlled Dakota Lending LLC's Citywide account. Investigators then found that \$747,500.00 of the \$830,000.00 was misused to payoff two other, unrelated loans held by Dakota Lending LLC, in which funds were owed to a warehouse lender. Some of the other remaining funds were then diverted by Dakota Lending LLC on February 5, 2008 to Colorado Community Bank via a cashiers check in the amount of \$80,500.00.

Investigators then learned that the Reinholdt controlled Enterprise had an \$8,000,000.00 line of credit with Colorado Community Bank to fund another Reinholdt entity, Yukon Financial, LLC. It was determined by investigators that this bank required the Reinholdts to come up with some amount of cash for each loan that was funded by this loan. Thus, this reality provides a reasonable inference as to why the Enterprise needed to fraudulently divert \$80,500.00 of the Kalamath specific funds to Colorado Community Banks.

The remainder of the funds (\$35,575.52) that were directly related to the 14351 Kalamath sale/refinancing were then routed to Jaguar Group's Citywide Banks account by Mary Ann Hocker for other uses. As previously stated in this Indictment, Ms. Hocker's Use Immunized statement showed that this diversion of funds scheme was done in collaboration with and at the direction of John Reinholdt, II and Heather Cratty.

In the months following the Kalamath property being refinanced and thus paid-off, John Reinholdt II and Heather Cratty led an effort to continue fraudulently listing 14315 Kalamath in Westminster, CO as an active, yet non-performing property on the monthly BBSs. These BBSs were supposed to provide Citywide Banks with an accurate summary of what was occurring on the line of credit.

**PREDICATE ACT THIRTY-NINE**  
**(2020 Goss Street, Boulder, CO)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d). (F3)**

On or about April 29, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FORTY**  
**(2020 Goss Street, Boulder, CO)**

**1102N**    **DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about April 29, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 2020 Goss Street, Boulder, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**PREDICATE ACT FORTY-ONE**  
**(2020 Goss Street, Boulder, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 29, 2008 to December 31, 2008 in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT FORTY-TWO**  
**(2020 Goss St., Boulder, CO and 1701 Hopkins Dr., Denver, CO)**

**1001C**    **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about May 31, 2008 to June 30, 2008 in the State of Colorado, **John Reinholdt, II and Heather Cratty** with the intent to defraud Citywide Banks, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Predicate Acts Thirty-Nine through Forty-Two were committed in the following manner:

This **diversion of funds** scheme began on or about April 29, 2008 when a property located at 2020 Goss Street in Boulder was sold by Jason L. Lynn to Elizabeth Rose Dykes. Mr. Lynn had previously received a loan for \$253,500.00 from the Jaguar Mortgage Company, LLC, on or about February 12, 2008 after he executed a Note and a Deed of Trust. On February 13, 2008, the Note and the Deed of Trust were first assigned to Dakota Lending LLC and then again to Citywide Banks, since Citywide advanced \$253,500.00 to Dakota Lending, LLC for this loan. As a result Citywide Banks assumed a security interest in the Note and the Deed of Trust for the Goss Street property.

When Mr. Lynn sold this property to Ms. Dykes on April 29, 2008, she received a new loan of \$270,000.00 from Colorado Business Bank. As a result, Dakota Lending, LLC received a payoff check for \$259,214.57 that was never deposited back into Citywide Banks. Also with a new Deed of Trust being executed between Ms. Dykes and her lender, Citywide Banks' security interest in this property was impaired by this transaction. Furthermore, Dakota Lending, LLC, through the complicit leadership of John Reinholdt II and Heather Cratty, continued to deceive Citywide Banks through the creation and use of a series of fraudulent BBSs that indicated that 2020 Goss Street, Boulder, CO and as well as 1701 Hopkins Dr., Denver, CO (which is addressed later in this Indictment and is incorporated by reference) were both active and performing loans when this was not the case.

**PREDICATE ACT FORTY-THREE**  
**(1701 Hopkins, Denver, CO)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 23, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FORTY-FOUR**  
**(1701 Hopkins, Denver, CO)**

**1102N** DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

On or about May 23, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1701 Hopkins Dr., Denver, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**PREDICATE ACT FORTY-FIVE**  
**(1701 Hopkins, Denver, CO)**

BANK FRAUD, 18 U.S.C. § 1344

On or about May 23, 2008 to December 31, 2008, in the District of Colorado, State of Colorado, the defendants, **John Reinholdt, II and Heather Cratty**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

The offenses alleged in Predicate Acts Forty-Three through Forty-Five were committed in the following manner:

This **diversion of funds** scheme began, on or about May 23, 2008, when a property located at 1701 Hopkins, Denver, CO was sold by RE Services, LLC to Brenda L. Armigo. Jaguar Group LLC's involvement with this property began in October 2007 when it agreed to fund a loan for RE Services, LLC. Jaguar ultimately assigned the Note and the Deed of Trust to Canyon Investments LLC which in turn assigned these instruments to Dakota Lending LLC which in turn assigned the Note and Deed of Trust to Citywide Banks. As a result of Citywide Banks receiving the Note and a Deed of Trust, they released \$94,280.00 in funds to Dakota Lending, LLC. Citywide Banks then assumed a security interest in this property.

On or about May 23, 2008, after Ms. Armigo had received her funding from Cherry Creek Mortgage, Dakota Lending, LLC was paid-off in excess of \$20,000.00, thus completing Dakota Lending's business with this property. Regardless of the activities stated above, Citywide Bank never received the funds related to this property from Dakota Lending. Furthermore the bank was misled by Dakota Lending's individual leadership of John Reinholdt, II and Heather Cratty through the use of fraudulent Borrowing Base Summaries, as represented by the June 30, 2008 document that listed this property as active and performing.

**PREDICATE ACT FORTY-SIX**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d) (F3)**

On or about August 4, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FORTY-SEVEN**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about August 4, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 15969 E. 18<sup>th</sup> Pl., Aurora, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.



**PREDICATE ACT FORTY-EIGHT**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about August 4, 2008 to December 31, 2008, in the District of Colorado, State of Colorado, the defendant, **John Reinholdt, II** unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud Citywide Banks, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from Citywide Banks, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT FORTY-NINE**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**1001C      FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 4, 2008, in the State of Colorado, **John Reinholdt, II** with the intent to defraud Citywide Banks, Northsight, Inc. and/or the Clerk and Recorder for Adams County, Colorado, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: an Assignment of Note and Deed of Trust; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Predicate Acts Forty-Six through Forty-Nine were committed in the following manner:

This **diversion of funds** scheme began, on or about August 4, 2008, regarding a residential property known as 15969 East 18<sup>th</sup> Place, Aurora, CO, when John Reinholdt, II fraudulently made and executed an Assignment of Note and Deed of Trust. This instrument was designed to look as if Dakota Lending, LLC was able to assign the Note and Deed of Trust for 15969 East 18<sup>th</sup> Place, Aurora, CO to Northsight, Inc. The problem with this transaction was that Citywide Banks, not Dakota Lending, LLC, lawfully possessed the security interest in 15969 East 18<sup>th</sup> Place, Aurora, CO on August 4, 2008. This occurred after Dakota Lending, LLC had assigned the Note and the Deed of Trust to Citywide Banks on or about April 9, 2008 based on Dakota Lending, LLC funding a loan for a borrower named James Morrow. Mr. Morrow's loan led Dakota Lending, LLC to request \$73,500.00 in funds from Citywide Banks. On or about May 2, 2008, Citywide Banks did release \$73,500.00 to Dakota Lending, LLC.

On or about October 1, 2008, James D. Morrow sold 15969 E. 18<sup>th</sup> Place, Aurora, CO to John F. Garcia after Mr. Garcia had received financing from CitiMortgage, Inc. As a result Mr. Garcia received a Warranty Deed from Mr. Morrow on October 1, 2008 for the above referenced property. On this same day, it appears that Mr. Garcia executed a new Deed of Trust for this same property with CitiMortgage.

With the sale of this property, Citywide Banks never received the payoff check from Dakota Lending, LLC. At the same time its security interest in this property was impaired by John Reinholdt, II's and the Enterprise's fraudulent actions. Furthermore, the John Reinholdt, II forged document cited above was filed and recorded with the Clerk and Recorder for Adams County, Colorado.

**PREDICATE ACT FIFTY**  
**(7348 Buckboard Dr., Park City, UT)**

**0801V    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 5, 2007 to April 13, 2007 in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 7348 Buckboard Dr, Park City, UT, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FIFTY-ONE**  
**(6021 So. 22<sup>nd</sup> Street, Phoenix, AZ)**

**0801V    THEFT-\$15,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d). (F3)**

On or about April 5, 2007 to April 12, 2007, in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FIFTY-TWO**  
**(5405 Vista Valle, Albuquerque, NM)**

**0801V     THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 5, 2007 to June 30, 2007, in the State of Colorado, **John Reinholdt II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 5405 Vista Valle, Albuquerque, NM, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**PREDICATE ACT FIFTY-THREE**  
**(7348 Buckboard Dr., Park City, UT, 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ  
and 5405 Vista Valle, Albuquerque, NM)**

**BANK FRAUD, 18 U.S.C. § 1344**

On or about April 5, 2007 to December 31, 2008, in the District of Colorado, State of Colorado, the defendant, **John Reinholdt, II**, unlawfully and knowingly executed or attempted to execute a scheme or artifice to defraud FirstTier Bank, an FDIC insured financial institution, or to obtain any moneys, funds, credit, assets, or other property from FirstTier Bank, an FDIC insured financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 U.S.C. § 1344.

**PREDICATE ACT FIFTY-FOUR**  
**(7348 Buckboard Dr., Park City, UT, 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ  
and 5405 Vista Valle, Albuquerque, NM)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 5-13, 2007 in the State of Colorado, **John Reinholdt, II** with the intent to defraud FirstTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various Assignment of Note and Deed of Trust instruments, Allonges, Loan Funding Sheets, and/or Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Predicate Acts Fifty through Fifty-Four were committed in the following manner:

This **resurrection scheme** began, on or about April 4, 2007, and involved at least three (3) separate properties that were used by John Reinholdt, II and the Enterprise to steal an aggregate amount exceeding \$550,000.00. The three properties are:

- (1) 7348 Buckboard Dr., Park City, UT;
- (2) 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ; and
- (3) • 5405 Vista Valle, Albuquerque, NM.

In the case of 7348 Buckboard in Utah, it was observed that a Jaguar related entity had initially funded a loan for \$383,000.00 in 2006. By February 6, 2007, Xact Funding LLC had received a payoff check after the original borrower, Howard G. Montgomery, had refinanced his loan. As a result of the payoff, Jaguar and its related entities no longer possessed any legitimate interest with this property.

However, on or about April 5, 2007, John Reinholdt II started creating and executing a series of fraudulent instruments, including Assignments of Notes and Deeds of Trusts, as well as related Allonges and a Loan Funding Sheet. As a result of of these fictitious instruments John Reinholdt, II and EZ Loans, LLC deceived FirstTier Bank to advance \$358,560.00 on April 13, 2007. Investigators then found this money, along with other illgotten funds, was used by the Reinholdt controlled Enterprise to pay down other debts that were owed.

In the case of 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ, it was observed that a Jaguar related entity had initially funded a loan for \$96,000.00 in 2005. By February 1, 2007, Jaguar Group, LLC and Xact Funding LLC had received a payoff check for \$105,091.44 after the original borrowers, Carl and Cantrece Porter, had received new financing. As a result of Jaguar and its related entities no longer having a legitimate interest in this property due to the payoff, a new Warranty Deed and a new Deed of Trust were executed between the Porters, as borrowers and their new lender, First Franklin Financial Corp.

However, on or about April 5, 2007, John Reinholdt, II created a series of fraudulent Assignments of Notes, Deeds of Trusts, Allonges and a Loan Funding Sheet regarding a “new” loan for 6021 So. 22<sup>nd</sup> Steet, Phoenix, AZ. On or about April 12, 2007, FirstTier Bank was deceived into releasing \$91,632.00 to EZ Loans, LLC for John Reinholdt’s use, including to pay down other debts.

In the case of 5405 Vista Valle, Albuquerque, NM, it was observed that a Jaguar related entity had initially funded a loan for \$119,000.00 in 2006. By February 5, 2007, Jaguar Group, LLC and Xact Funding LLC had received a payoff check for \$122,882.00 after the original borrower, Ramona Meneses had either received new financing or sold the property. As a result of the payoff, Jaguar and its related entities no longer possessed any legitimate interest with this property.

However, on or about April 5, 2007, John Reinholdt, II created a series of fraudulent Assignments of Notes, Deeds of Trusts, Allonges and a Loan Funding Sheet regarding a “new” loan for 5405 Vista Valle, Albuquerque, NM. On or about April 12, 2007, FirsTier Bank was deceived into releasing \$112,880.00 to EZ Loans, LLC for John Reinholdt’s misuse, including to pay down other debts.

**COUNT THREE**  
**(419 Casa del Norte, North Las Vegas, NV)**

**0801V     THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 5-12, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirsTier Bank related to 419 Casa del Norte, North Las Vegas, NV, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirsTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT FOUR**  
**(419 Casa del Norte, North Las Vegas, NV)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 5-12, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud FirsTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments and/or deeds of trusts; in violation of section 18-5-102(1)(c), C.R.S.

**COUNT FIVE**  
**(419 Casa del Norte, North Las Vegas, NV)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about August 30, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT SIX**  
**(419 Casa del Norte, North Las Vegas, NV)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 30, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, collateral summaries and/or borrowing base reports; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Three through Six were previously described in the factual summary in support of Predicate Acts One through Six for Counts One and Two and is incorporated by reference.

**COUNT SEVEN**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**0801V     THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 4, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Biltmore Bank of Arizona related to 5410 S. Jasmine Way, Tucson, AZ, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Biltmore Bank of Arizona of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT EIGHT**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 16, 2007 to May 4, 2007, in the State of Colorado, **John Reinholdt, II and Mary Ann Hocker** with the intent to defraud Biltmore Bank of Arizona, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, and/or loan funding sheets; in violation of section 18-5-102(1)(c), C.R.S.

**COUNT NINE**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about October 19, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Raina Martin and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT TEN**  
**(5410 S. Jasmine Way, Tucson, AZ)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about October 19, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Raina Martin and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, borrowing base reports and loan funding sheets; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Seven through Ten were previously described in the factual summary in support of Predicate Acts Seven through Twelve for Counts One and Two and is incorporated by reference.

**COUNT ELEVEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**0801V**     **THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about April 2, 2007, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirstTier Bank related to 3933 Manheim Rd, Kansas City, MO, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirstTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.



**COUNT TWELVE**  
**(3933 Manheim Rd., Kansas City, MO)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 2, 2007, in the State of Colorado, **John Reinholdt, II and Mary Ann Hocker** with the intent to defraud FirsTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts and allonges; in violation of section 18-5-102 (1)(c), C.R.S.

**COUNT THIRTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**0801V**     **THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d). (F3)**

On or about September 20, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(b),(2)(d), C.R.S.

**COUNT FOURTEEN**  
**(3933 Manheim Rd., Kansas City, MO)**

**1001C**      **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 30, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various assignments, deeds of trusts, allonges, and/or borrowing base reports; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Eleven through Fourteen were previously described in the factual summary in support of Predicate Acts Thirteen through Eighteen for Counts One and Two and is incorporated by reference.

**COUNT FIFTEEN**  
**(140 Brooklyn Circle, Leadville, CO)**

**0801V**      **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about July 1, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Jon Michael** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401 (1)(b),(2)(d), C.R.S.

**COUNT SIXTEEN**  
**(140 Brooklyn Circle, Leadville, CO)**

**1001C**      **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about June 25, 2007 to July 9, 2008, in the State of Colorado, **John Reinholdt, II, Heather Cratty, Mary Ann Hocker and Jon Michael** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: a Uniform Residential Loan Application, a HUD-1 Settlement Statement, Assignments of Notes and Deeds of Trust, Adjustable Rate Note, Default Rider to Adjustable Rate Note, Family Rider, Adjustable Rate Rider, Deed of Trust, Loan Funding Sheet, Borrowing Base Reports and/or Allonges; in violation of section 18-5-102(1)(c), C.R.S.

**COUNT SEVENTEEN**  
**(166 Brooklyn Circle, Leadville, CO)**

**0801V**      **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about July 1, 2007 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty, Raina Martin and Jon Michael** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Colorado State Bank and Trust, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner to permanently deprive Colorado State Bank and Trust of its use or benefit; in violation of section 18-4-401(1)(B),(2)(d), C.R.S.

**COUNT EIGHTEEN**  
**(166 Brooklyn Circle, Leadville, CO)**

**1001C**     **FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about June 25, 2007 to July 9, 2008 in the State of Colorado, **John Reinholdt, II, Heather Cratty, Mary Ann Hocker, Raina Martin and Jon Michael** with the intent to defraud Colorado State Bank and Trust, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: a Uniform Residential Loan Application, a HUD-1 Settlement Statement, Assignments of Notes and Deeds of Trust, Adjustable Rate Note, Default Rider to Adjustable Rate Note, Family Rider, Adjustable Rate Rider, Deed of Trust, Loan Funding Sheet, Borrowing Base Reports and/or Allonges; in violation of section 18-5-102(1)(c), C.R.S.

**COUNT NINETEEN**  
**(140 and 166 Brooklyn Circle, Leadville, CO)**

**1102N**     **DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about July 1, 2007 through December 23, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker, Heather Cratty and Raina Martin** with intent to defraud The Pueblo Bank and Trust Company, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: Notes and Deeds of Trust related to 140 and/or 166 Brooklyn Circle, Leadville, CO aka Vacant Lots Brooklyn Heights Subdivision, Leadville, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Counts Fifteen through Nineteen were previously described in the factual summary in support of Predicate Acts Nineteen through Twenty-Five for Counts One and Two and is incorporated by reference.

**COUNT TWENTY**  
**(4179 W. Walsh Pl., Denver, CO)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about March 31, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT TWENTY-ONE**  
**(4179 W. Walsh Pl., Denver, CO)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 1, 2007 to July 30, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with the intent to defraud Citywide Banks, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

**COUNT TWENTY-TWO**  
**(4179 W. Walsh Pl., Denver, CO)**

**1102N**     **DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about April 1, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, Deed of Trust and funds related to 4179 West Walsh Place, Denver, CO aka 4179 West Walsh Place, Broomfield, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Counts Twenty through Twenty-Two were previously described in the factual summary in support of Predicate Acts Twenty-Six through Twenty-Nine for Counts One and Two and is incorporated by reference.

**COUNT TWENTY-THREE**  
**(1121 Nucla St, Aurora, CO)**

**0801V**     **THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 30, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT TWENTY-FOUR**  
**(1121 Nucla St, Aurora, CO)**

**1102N**    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

On or about May 30, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1121 Nucla St., Aurora, CO which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Counts Twenty-Three through Twenty-Four were previously described in the factual summary in support of Predicate Acts Thirty through Thirty-Two for Counts One and Two and is incorporated by reference.

**COUNT TWENTY-FIVE**  
**(1115 E. 10<sup>th</sup> Ave., Broomfield, CO and 7810 W. 87<sup>th</sup> Dr., #0 , Westminster, CO)**

**0801V**    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

On or about April 4, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT TWENTY-SIX**

**(1115 E. 10<sup>th</sup> Ave., Broomfield, CO and 7810 W. 87<sup>th</sup> Dr., #0 , Westminster, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about April 4, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1115 E. 10<sup>th</sup> Ave., Broomfield, CO and/or a Note, a Deed of Trust and funds related to 7810 W. 87<sup>th</sup> Dr. #0, Westminster, CO, which were subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Counts Twenty-Five and Twenty-Six were previously described in the factual summary in support of Predicate Acts Thirty-Three through Thirty-Five for Counts One and Two and is incorporated by reference.

**COUNT TWENTY-SEVEN**

**(14315 Kalamath, Westminster, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d) (F3)**

On or about January 25, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.



**COUNT TWENTY-EIGHT**  
**(14315 Kalamath, Westminster, CO)**

**1102N**    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,  
C.R.S. § 18-5-206(1)(d) (F3)

On or about January 25, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II, Mary Ann Hocker and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 14315 Kalamath Street, Westminster, CO which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206 (1)(d), C.R.S.

The offenses alleged in Counts Twenty-Seven and Twenty -Eight were previously described in the factual summary in support of Predicate Acts Thirty-Six through Thirty-Eight for Counts One and Two and is incorporated by reference.

**COUNT TWENTY-NINE**  
**(2020 Goss Street, Boulder, CO)**

**0801V**    THEFT-\$20,000 OR MORE, C.R.S § 18-4-401(1)(b),(2)(d) (F3)

On or about April 29, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT THIRTY**  
**(2020 Goss Street, Boulder, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE,**  
**C.R.S. § 18-5-206(1)(d) (F3)**

On or about April 29, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 2020 Goss Street, Boulder, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**COUNT THIRTY-ONE**  
**(2020 Goss St., Boulder, CO and 1701 Hopkins Dr., Denver, CO)**

**1001C    FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about May 31, 2008 to June 30, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with the intent to defraud Citywide Banks, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Twenty-Nine through Thirty-One were previously described in the factual summary in support of Predicate Acts Thirty-Nine through Forty-Two for Counts One and Two and is incorporated by reference.

**COUNT THIRTY-TWO**  
**(1701 Hopkins, Denver, CO)**

**0801V    THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about May 23, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT THIRTY-THREE**  
**(1701 Hopkins, Denver, CO)**

**1102N    DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE, C.R.S. § 18-5-206(1)(d) (F3)**

On or about May 23, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II and Heather Cratty** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 1701 Hopkins Dr., Denver, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

The offenses alleged in Counts Thirty-Two and Thirty-Three were previously described in the factual summary in support of Predicate Acts Forty-Three through Forty-Five for Counts One and Two and is incorporated by reference.

**COUNT THIRTY-FOUR**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**0801V     THEFT-\$20,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)**

On or about August 4, 2008 to December 31, 2008, in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of Citywide Banks, with the value of twenty thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive Citywide Banks of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT THIRTY-FIVE**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**1102N     DEFRAUDING A SECURED CREDITOR - \$20,000 OR MORE, C.R.S. § 18-5-206(1)(d) (F3)**

On or about August 4, 2008 through December 31, 2008, in the State of Colorado, **John Reinholdt, II** with intent to defraud Citywide Banks, a creditor, by defeating, impairing, or rendering worthless or unenforceable a security interest, unlawfully and feloniously sold, assigned, transferred, conveyed, pledged, encumbered, concealed, destroyed, or disposed of collateral, namely: a Note, a Deed of Trust and funds related to 15969 E. 18<sup>th</sup> Pl., Aurora, CO, which was subject to a security interest, and the collateral had a value of twenty thousand dollars or more; in violation of section 18-5-206(1)(d), C.R.S.

**COUNT THIRTY-SIX**  
**(15969 E. 18<sup>th</sup> Pl., Aurora, CO)**

**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about August 4, 2008, in the State of Colorado, **John Reinholdt, II** with the intent to defraud Citywide Banks, Northsight, Inc. and/or the Clerk and Recorder for Adams County, Colorado, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: an Assignment of Note and Deed of Trust; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Thirty-Four through Thirty-Six were previously described in the factual summary in support of Predicate Acts Forty-Six through Forty-Nine for Counts One and Two and is incorporated by reference.

**COUNT THIRTY-SEVEN**  
**(7348 Buckboard Dr., Park City, UT)**

**0801V**    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

On or about April 5, 2007 to April 13, 2007, in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirsTier Bank, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirsTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT THIRTY-EIGHT**  
**(6021 So. 22<sup>nd</sup> Street, Phoenix, AZ)**

**0801V**    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d). (F3)

On or about April 5, 2007 to April 12, 2007 in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirsTier Bank, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirsTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT THIRTY-NINE**  
**(5405 Vista Valle, Albuquerque, NM)**

**0801V**    THEFT-\$15,000 OR MORE, C.R.S. § 18-4-401(1)(b),(2)(d) (F3)

On or about April 5, 2007 to June 30, 2007 in the State of Colorado, **John Reinholdt, II** unlawfully, feloniously and knowingly obtained or exercised control over a thing of value, namely: money of FirsTier Bank, with the value of fifteen thousand dollars or more, without authorization, or by threat or deception, and used, concealed, or abandoned the thing of value in such manner as to permanently deprive FirsTier Bank of its use or benefit; in violation of section 18-4-401(1)(b),(2)(d), C.R.S.

**COUNT FORTY**

**(7348 Buckboard Dr., Park City, UT, 6021 So. 22<sup>nd</sup> Street, Phoenix, AZ  
and 5405 Vista Valle, Albuquerque, NM)**

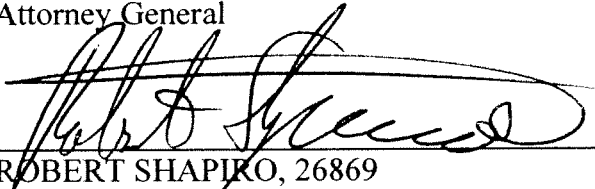
**1001C     FORGERY, C.R.S. § 18-5-102(1)(c) (F5)**

On or about April 5-13, 2007, in the State of Colorado, **John Reinholdt, II** with the intent to defraud FirsTier Bank, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: various Assignment of Note and Deed of Trust instruments, Allonges, Loan Funding Sheets, and/or Borrowing Base Summaries; in violation of section 18-5-102(1)(c), C.R.S.

The offenses alleged in Counts Thirty-Seven through Forty were previously described in the factual summary in support of Predicate Acts Fifty through Fifty-Four for Counts One and Two and is incorporated by reference.

JOHN W. SUTHERS

Attorney General



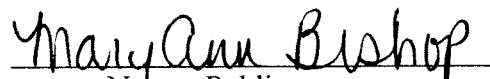
ROBERT SHAPIRO, 26869

First Assistant Attorney General

Special Prosecutions Unit

Criminal Justice Section

Subscribed to before me in the City and County of Denver, State of Colorado, this  
18th day of March, 2010.

  
Notary Public

My commission expires: 1-5-2013